



# House of Representatives

General Assembly

**File No. 273**

February Session, 2000

Substitute House Bill No. 5600

*House of Representatives, March 28, 2000*

The Committee on Government Administration and Elections reported through REP. KNOPP of the 137<sup>th</sup> Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

***An Act Implementing Recommendations Of The State Ethics Commission To Amend Certain Provisions Of The Code Of Ethics Relating To The General Assembly.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (b) of section 1-84b of the general statutes is  
2 repealed and the following is substituted in lieu thereof:

3 (b) (1) No former executive branch or quasi-public agency public  
4 official or state employee shall, for one year after leaving state service,  
5 represent anyone, other than the state, for compensation before the  
6 department, agency, board, commission, council or office in which [he]  
7 the official or employee served at the time of [his] the official's or  
8 employee's termination of service, concerning any matter in which the  
9 state has a substantial interest. The provisions of this [subsection]  
10 subdivision shall not apply to an attorney who is a former employee of  
11 the Division of Criminal Justice, with respect to any representation in a

12 matter under the jurisdiction of a court.

13 (2) No legislative branch state employee who holds a position which  
14 involves significant administrative, supervisory, contractual, policy or  
15 legal responsibility and which is designated as such by the State Ethics  
16 Commission shall engage in the profession of lobbyist for a period of  
17 one year after leaving the legislative branch. The State Ethics  
18 Commission shall adopt regulations in accordance with the provisions  
19 of chapter 54 designating such positions.

20 Sec. 2. Subsection (i) of section 1-84b of the general statutes is  
21 repealed and the following is substituted in lieu thereof:

22 (i) The provisions of subsections (a), (b) and (f) of this section shall  
23 not apply to any employee of a quasi-public agency who leaves such  
24 agency before July 1, 1989. The provisions of subdivision (2) of  
25 subsection (b) of this section shall not apply to any employee of the  
26 legislative branch who leaves the legislative branch before the effective  
27 date of this section.

28 Sec. 3. Section 1-85 of the general statutes is repealed and the  
29 following is substituted in lieu thereof:

30 (a) A public official, including an elected state official, or state  
31 employee has an interest [which] that is in substantial conflict with the  
32 proper discharge of [his] the official's or employee's duties or  
33 employment in the public interest and [of his] the official's or  
34 employee's responsibilities as prescribed in the laws of this state, if [he]  
35 the official or employee has reason to believe or expect that [he, his]  
36 the official or employee, the spouse [,] or a dependent child of the  
37 official or employee, or a business with which he is associated will  
38 derive a direct monetary gain or suffer a direct monetary loss, as the  
39 case may be, by reason of [his] the official's or employee's official  
40 activity. A public official, including an elected state official, or state  
41 employee does not have an interest [which] that is in substantial

42 conflict with the proper discharge of [his] the official's or employee's  
43 duties in the public interest and [of his] the official's or employee's  
44 responsibilities as prescribed by the laws of this state, if any benefit or  
45 detriment accrues to [him, his] the official or employee, the spouse [,]  
46 or a dependent child of the official or employee, or a business with  
47 which he, his spouse or such dependent child is associated as a  
48 member of a profession, occupation or group to no greater extent than  
49 any other member of such profession, occupation or group.

50 (b) In addition, a member of the General Assembly has an interest  
51 that is in substantial conflict with the proper discharge of the member's  
52 duties or employment in the public interest and the member's  
53 responsibilities as prescribed in the laws of this state, if the member  
54 has knowledge that a business that employs either the member or the  
55 spouse or a dependent child of the member will derive a direct  
56 monetary gain or suffer a direct monetary loss, as the case may be, by  
57 reason of the member's official activity. A member of the General  
58 Assembly does not have an interest that is in substantial conflict with  
59 the proper discharge of the member's duties or employment in the  
60 public interest and the member's responsibilities as prescribed in the  
61 laws of this state under this subsection, if any such monetary gain or  
62 loss accrues to such business as a member of a profession, occupation  
63 or group to no greater extent than any other business in such  
64 profession, occupation or group.

65 (c) A public official, including an elected state official or state  
66 employee who has a substantial conflict may not take official action on  
67 the matter.

68 Sec. 4. Section 1-89a of the general statutes is repealed and the  
69 following is substituted in lieu thereof:

70 (a) In each odd-numbered calendar year, the State Ethics  
71 Commission [, the Connecticut Humanities Council and the Joint  
72 Committee on Legislative Management] shall conduct a conference on

73 ethical issues affecting members of the General Assembly and  
74 lobbyists.

75 (b) In each even-numbered calendar year, the State Ethics  
76 Commission shall conduct a conference on ethical issues affecting  
77 executive branch and quasi-public agency public officials and state  
78 employees.

79 Sec. 5. This act shall take effect July 1, 2000.

**GAE Committee Vote:** Yea 21 Nay 0 JFS

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

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**OFA Fiscal Note**

**State Impact:** Minimal Cost Savings, Absorbable Workload Increase

**Affected Agencies:** State Ethics Commission, Legislative Management

**Municipal Impact:** None

**Explanation****State Impact:**

The bill expands the State Ethics Commission's jurisdiction and applies certain ethics laws to some legislative branch employees. This may result in a potential workload increase to the State Ethics Commission, which will have no fiscal impact on the agency because any additional costs can be handled within the existing budgetary resources.

Additionally, the bill eliminates the requirement that the State Ethics Commission and Legislative Management hold a joint ethics conference biennially. Instead, the bill requires that the State Ethics Commission be responsible for conducting the conference. This will result in a minimal cost savings to Legislative Management and a corresponding minimal cost to the State Ethics Commission. It is anticipated that the State Ethics Commission will limit costs for this conference by using public spaces, and commission staff and other

public officials as speakers, thus the additional costs of the conference can be handled within the existing budgetary resources of the agency.

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**OLR Bill Analysis**

sHB 5600

***AN ACT IMPLEMENTING RECOMMENDATIONS OF THE STATE ETHICS COMMISSION TO AMEND CERTAIN PROVISIONS OF THE CODE OF ETHICS RELATING TO THE GENERAL ASSEMBLY.*****SUMMARY:**

This bill prohibits legislative branch state employees who hold significant administrative, supervisory, contractual, policy, or legal positions from lobbying for one year after leaving legislative employment. It applies only to employees who leave their job after June 30, 2000. It requires the State Ethics Commission to adopt regulations designating the affected employees.

The bill prohibits a legislator from taking official action on any matter that he knows will cause his, his spouse's, or dependent child's employer to get a direct monetary benefit or suffer a direct loss. The prohibition does not apply if all other businesses in the profession, occupation, or group are similarly affected.

The bill eliminates a requirement that the State Ethics Commission, the Connecticut Humanities Council, and the Joint Committee on Legislative Management jointly conduct an ethics conference for legislators and lobbyists in odd-numbered years. Instead, it requires the commission to conduct the conference.

EFFECTIVE DATE: July 1, 2000

**BACKGROUND*****Prohibition Against Taking Official Action That Affects Associated Businesses***

The law prohibits a legislator from taking official action on any matter if he has reason to suspect or believe that he, his spouse, dependent child, or a business he is associated with would derive a direct

financial benefit or suffer a direct loss to the exclusion of other similar businesses. A legislator is associated with a business if he or a member of his immediate family is a director, president, executive or senior vice president, treasurer, owner, partner, trust beneficiary, or holder of at least 5% of the outstanding stock in it.

## **COMMITTEE ACTION**

Government Administration and Elections Committee

Joint Favorable Substitute

Yea   21       Nay   0